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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: KATO, et al.

Reissue
Application No.: 10/060,304

Filed: February 1, 2002

For: VACUUM PROCESSING APPARATUS AND OPERATING
METHOD THEREFOR

Group: 3749

Examiner: P. Wilson

RESPONSEMail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 22, 2004

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APR 27 2004

Sir: TECHNOLOGY CENTER R3700

The following remarks, and enclosures, are submitted in response to the outstanding Office Action mailed December 22, 2003, in the above-identified application.

Thus, on page 3 of the Office Action mailed December 22, 2003, the Examiner has required submission of the Original Letters Patent for the patent of which the above-identified application is a reissue application. Submitted herewith is the Original Letters Patent for U.S. Patent No. 6,330,756, satisfying the requirement for the Original Letters Patent.

The requirement that the person who signed the submission establishing ownership interest must state his/her capacity to sign for the corporation; and the requirement of a new submission establishing ownership interest which includes a statement that the person is empowered to sign a submission establishing ownership interest and/or action on behalf of the Assignee, set forth on pages 3 and 4 of the

Office Action mailed December 22, 2003, are noted. Enclosed herewith please also find a new Statement Under 37 CFR 3.73(b) and a new Consent of Assignee. The enclosed Statement includes a statement by Mr. Sakuta, Executive Officer, Intellectual Property Group, Hitachi, Ltd., that he "is authorized to act on behalf of the assignee". Particularly in view of this submitted Statement, it is respectfully submitted that the requirement for a new submission has been satisfied.

Refusal by the Examiner to consider the Information Disclosure Statement filed September 5, 2002, as failing to comply with the provisions of 37 CFR 1.97 and § 1.98 and Manual of Patent Examining Procedure 609 "because foreign patent documents have been submitted which have not been provided with adequate translations and/or abstracts of the subject matter contained within the documents", is noted. To clarify, the Examiner has only refused to consider some of the submitted documents; others of the submitted documents have clearly been considered. Moreover, In connection therewith, attention is respectfully directed to the Submission Under 37 CFR § 1.56 submitted April 2, 2004, including various full English translations and English Abstracts. It is respectfully requested that the Examiner consider these documents submitted April 2, 2004, to the extent appropriate.

In view of the foregoing and enclosures, it is respectfully submitted that all formal requirements in the Office Action mailed December 22, 2003, have been satisfied. Moreover, the undersigned notes with thanks the allowance of claims 1-9.

In view of all of the foregoing, passing of the above-identified application to issue, and issuance of a reissue patent in due course, are respectfully requested.

It is respectfully requested that any shortage in the fee be charged to the account of Antonelli, Terry, Stout & Kraus, LLP, Account No. 01-2135 (Case No. 520.30414R46).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "William I. Solomon", written in a cursive style.

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